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LB 377

tests and have laboratory work done on it. I want the amendment taken off so that what I just said will happen. The officer would be required to give that information. Failure to give that information would result in the test that the officer gave not being admissible. If the test the officer gave is not admissible, that will be the incentive for the officer then to notify the person of the choices made available under the law right now. If you don't adopt my effort to strike that committee amendment, then the bill is worse than a hoax and I think it ought to be killed.

SPEAKER NICHOL: Senator Beutler.

SENATOR BEUTLER: Mr. Speaker, members of the Legislature, this is a rerun of the debate we had earlier. Basically you may recall that the committee was agreeable to putting these requirements that the warnings be given into the law and I think that will have some effect. I think that the Law Enforcement Training Center and the Law Enforcement Manuals will inform police officers that they should inform folks of these two different rights that we are talking about. But the committee amendments, as Senator Chambers explained, said that if the police officer for some reason accidentally doesn't give one of those warnings, we are not going to let the fellow off the hook and that is basically again what it is all about and I would ask you not to adopt Senator Chambers's amendment. Let's try the law the way it is stated in the bill at this time. Let's see how we do with giving those warnings. Let's see if there is a real problem. I am hopeful that the law enforcement agencies will do their job without having to threaten them with the nonuse of that evidence in trial. Thank you.

SPEAKER NICHOL: Senator Goodrich.

SENATOR GOODRICH: Would Senator Chambers yield to a question please?

SENATOR CHAMBERS: Yes.

SENATOR GOODRICH: Senator, assume that the police officer for the moment did give that warning or did call the DWI person, his attention to the fact that he was entitled to a physician, his own physician coming and making a test, if he